

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNA LEACH, et al.,

Plaintiffs,

v.

TESLA, INC., et al.,

Defendants.

Case No. 23-cv-03378-SI (SK)

**ORDER REGARDING DISCOVERY
LETTER BRIEFS**

Regarding Docket Nos. 58, 59, 60

This matter was referred to the undersigned for the purpose of resolving discovery disputes. (Dkt. No. 62.) Several discovery matters are pending, including disputes about the sufficiency of Defendant's responses to Plaintiffs' written discovery requests and Plaintiff's request to depose Lars Moravy. (Dkt. Nos. 58, 59, 60.) In addition, Defendant Tesla, Inc. ("Tesla") produced 10,000 pages of new discovery the night before the Court's hearing on the matter, which the Court found to be "unreasonably obstinate." (Dkt. No. 62.) The undersigned has recommended and Judge Illston has agreed that, given the late production by Tesla and the breadth of issues outstanding, all deadlines for discovery and other related deadlines in this case will be continued, with a schedule to be determined at a later date.

The parties are ORDERED to meet and confer and produce a table of the disputed requests for production of documents and the responses to interrogatories to provide an updated summary of the state of the disputes. One column should contain the request or interrogatory, with a short summary; the next column should indicate whether the parties believe that the response to the request or interrogatory remains in dispute; the next column should contain Plaintiffs' position; and the final column should contain Tesla's position. The parties must submit this chart by January 31, 2024. If the parties need more time to meet and confer about the chart, they may seek an extension, ideally by stipulation.

1 In addition, Defendant Tesla, Inc. (“Tesla”) is ORDERED to provide supplemental
2 responses to the Requests for Production of Documents and the Interrogatories in compliance with
3 the Federal Rules of Civil Procedure. For example, although Tesla only provided written
4 objections to the disputed Requests for Production of Documents, Tesla has produced responsive
5 documents. Thus, Tesla must explain what it will produce or has produced in response to a
6 specific Request and whether Tesla is withholding other documents based on objection(s). Tesla
7 may not object based on any objection that was not timely made; Tesla has waived any objection
8 not provided in a timely manner. Tesla must provide these updated responses by January 31,
9 2024.

10 Finally, Tesla’s motion for a protective order to prevent the deposition of Moravy from
11 going forward at this time is GRANTED, but Plaintiffs may renew their attempt to depose him if
12 they are unable to obtain information from Tesla about the witness or witnesses who are better
13 suited to providing the information that Plaintiffs seek.

14 **IT IS SO ORDERED.**

15 Dated: January 15, 2025

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17 SALLIE KIM
18 United States Magistrate Judge
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